

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Work charged Establishment –APERL- Four Trained Testing Labour i.e., (1) Sri K. Venkataramana Reddy, (2) Sri C. Venkata Ramana (3) Sri V. Venkatesu and (4) Smt. D. Dastagiramma working in Regional Soil Testing Laboratory, Kadapa -Regularization of services in terms of G.O.Ms.No.212, Finance and Planning (PC.III) Department, dated 22.04.94-Orders Issued.

IRRIGATION & COMMAND AREA DEVELOPMENT (Ser. V) DEPARTMENT

G. O. Ms. No. 93

Dated:18 .09.2010.

Read the following:-

- 1)From the Chief Engineer, APERL,Hyderabad, Lr.NoG4/IDS of Labour Court/2004-05, Dated 16.12.2004
- 2)From the Chief Engineer, APERL,Hyderabad, Lr.NoG4/IDS/Labour Court/2008-09, Dated 3.11.2008
- 3) Government Memo No. 23056/Ser VIII.A1/2004-6, Dated, 3.1.2009
- 4)From the Chief Engineer, APERL,Hyderabad, Lr.NoG4/Court Case RSTL/Kadapa/2009-10, Dated 29.5.2009.
- 5)Government Memo No 13479/SerV(1)/2009-1, Dated 21.7.2009.
- 6)From the District Collector, Kadapa, Lr.No. A3/2386/2009, Dated.12.2.2010.

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ORDER:-

In the letters 1st and 2nd read above, the Chief Engineer, APERL,, Hyderabad has reported that the (4) Trained Testing Labour i.e. Sri V. Venkatesu, Sri K.V. Ramana Reddy, Sri C. Venkataramana and Smt. D. Dastagiramma were initially engaged on Daily Wages in Regional Soil Testing Laboratory, APERL Unit, Kadapa under the control of the Chief Engineer, APERL, Hyderabad since the inception of the lab i.e. from 1987, gainst HR payments. Subsequently, due to ban on engaging NMR's, contract labour system has been adopted to engage the contract labour under Contract Labour (Regulation & Abolition) Act, 1970, Accordingly the above (4) Trained Testing Labour were engaged through contract labour system in the Regional Soil Testing Laboratory, APERL Unit, Kadapa and their wages were paid as per the SSR rates. Subsequently, the contract labour system was also dispensed with. Aggrieved by this, the above (4) Trained Testing Labour have approached the Hon'ble Industrial Tribunal-cum-Labour Court, Ananthapur by way of filing I.Ds. The Industrial Tribunal-cum-Labour Court, Ananthapur while allowing the I.Ds partly has directed to reinstate the above (4) workmen into service with continuity of service & without back wages.

2. After examination and analysis of the relevant provisions of the Contract Labour (Regulation & Abolition) Act, 1970, it has been observed that the Research Officer, Regional Soil Testing Laboratory, APERL Unit, Kadapa neither obtained certificate of registration issued by the Govt. under Contract Labour (Regulation & Abolition) Act, 1970 nor the labour were engaged through a licensed contractor as per section 12 of the above Act. The above (4) Trained Testing Labour are therefore, deemed to be workmen on Daily Wage basis.

3. Considering the above facts and circumstances and also taking into consideration of their continued service of 23 years from 1987 in the above said labs ,their rich experience and age bar for direct recruitment, and also withdrawal of cases in the various courts as directed by the Government in Memo 3rd read above , it has been decided to regularize the services of the above (4) Trained Testing Labour in terms of G.O.Ms.No.212, Finance & Planning Department, dated 22.04.1994.

p.t.o.

4. The District Collector, Kadapa in his letter 6th read above has submitted the information on the following (4) vacancies and check lists along with supporting documents, etc in respect of (4) Trained Testing Labour working in Regional Soil Testing Laboratory, Kadapa APERL Unit for regularization of their services in terms of G.O.Ms.No.212, Fin. (PC.III) Dept., dated 22.04.94.

| Sl. No. | Name of the Trained Testing Labour | Educational Qualification | Category of the post against which regularization is proposed | Roster point | Name of the Department where vacancy is notified |
|---------|------------------------------------|---------------------------|---|---------------|---|
| 1. | V. Venkatesu | Intermediate | Jr. Asst. | OC (28) | A.P. Vaidhya Vidhana PARishad, Kadapa. |
| 2. | K.V. Ramana Reddy | Intermediate | Astt. Lab Boy | OC (26) | Regional Soil Testing Laboratory, Kadapa APERL Unit |
| 3. | C. Venkataramana | SSC | Office Subordinate | SC (25) | District Medical & Health officer , Kadapa |
| 4. | G. Dasthagiramma | 8 th class | Office Subordinate | BC-B (W) (10) | |

5. Accordingly, Government hereby direct the District Collector, Kadapa , to regularize the services of the above (4) individuals i.e., Sri K. Venkataramana Reddy, Sri C. Venkataramana, Sri Venkatesu and Smt. D. Dastagiramma, against the posts of Junior Assistant (1), Assistant Lab Boy (1), and Office Subordinates (2), respectively, as mentioned in the above table in terms of G.O.Ms.No. 212, Finance (PC-III) Department dated 22.04.1994, from prospective date i.e., date of issue of orders by competent appointing authority, subject to condition that the said vacancies are clear, regular, continued in orders issued by Finance (SMPC) Department, form time to time till date and no senior eligible person is overlooked / Omitted.

6. This order issues with the concurrence of the Finance (PC-III) Department vide their U.O.No. 23582/471/PC-III/2010, Dated, 26.8.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The District Collector, Kadapa.
Copy to: The Chief Engineer, APERL, Himayatsagar,
Hyderabad.
The Engineer-in-Chief(IW), I&CAD Department,
Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER